Ephemeral Suwannee River Coalition

Florida Audubon Society

Florida Chapter
of the Sierra Club

Florida Conservation
Foundation, Inc.

Florida Defenders
of the Environment

SUWANNEE RIVER COALITION

622 North Main Street

Gainesville, Florida 32601

Florida Federation
of Garden Clubs, Inc.

Florida Wildlife Federation

League of Women Voters
of Florida

The Georgia Conservancy

The Wilderness Society

ANNUAL REPORT October 1979

THE SUWANNEE RIVER COALITION WAS FOUNDED IN OCTOBER 1977 TO SEEK THE PROTECTION OF THE NATURAL, SCENIC, HISTORIC, AND CULTURAL RESOURCES OF THE SUWANNEE RIVER SYSTEM

Specific objectives of the Coalition are to serve as an information clearinghouse, to coordinate activities and adopt positions in support of effective protection measures for the Suwannee, to testify at public hearings related to the resources of the river system, and to publicize facts about the basin resources and Coalition position papers.

In 1977-78, a series of workshops was held by the Coalition to study resource protection measures needed. A chaotic overlapping of jurisdictions was found, with numerous agencies (more than 20 in addition to the local governments in Florida and Georgia) planning for use and/or protection of the river, but with no coordination among them. Consequently, in March 1978 the Coalition announced a basic position which identified the need for a planning and management program that would coordinate all planning efforts at all levels of government so that all resources of the basin would be protected.

THE THREATS

The diversity of the Suwannee River ecosystem, its isolation, and the richness of its resources have led to the perception that the threats to its integrity are diluted and are not immediate or serious. The visible signs - the litter, the speeding boats, the bulkheads, the cleared and trampled banks - seem minor as seen from the river. The really serious threats - the misuse of the water resources, the pollution, the uncontrolled development - are insidious because they have not yet happened on a scale that makes them conspicuous. But the seeds are there. Without coordinated planning and management they will happen and they will destroy the river.

MISUSE OF WATER RESOURCES

Although Florida has long recognized water as its most precious resource, a strong State Water Policy has not emerged from the comprehensive planning mandated by its environmental laws. Thus we have, as an example, the Corps of Engineers studying construction projects for development of water resources at cross purposes with the Suwannee River Water Management District, which has adopted as policy a non-structural approach to flood control.

In its Four River Basins Study, the Corps has identified the Suwannee as a significant source for municipal water supply to southwest Florida, although the river is outside the study area and jurisdiction of the local sponsor for the study, the Southwest Florida Water Management District. The study describes, as one of 17 feasible alternatives, a Suwannee

River Plan - a pipeline to deliver 350 million gallons a day of "excess" surface flow from the Suwannee to four demand areas in the Southwest Florida Water Management District - despite the position of the Suwannee District's governing board that there is no excess water in the river.

The voluminous Study looks intensively at the benefits to southwest Florida from the pipeline and, after a cursory glance at the impacts to the Suwannee District, declares that there will be minimal adverse impacts from the construction and no adverse impacts from the withdrawal of water from the Suwannee. The analysis of the Study does concede (on the penultimate page of Volume F) that the Suwannee River Plan has less acceptibility than alternative plans within the Southwest Florida District. It does not point out that the plans with greater acceptibility can supply the same volume of water as the pipeline.

Other projects for water resources development in the Suwannee basin that have been studied by the Corps include 139 miles of channelization and three impoundments for flood control. Although none of these has been funded, they are all potentially viable projects. These, together with other possible federal projects need to come under the kind of public scrutiny that a coordinated local - state - federal program can provide.

POLLUTION

Pollution control in Florida is primarily the responsibility of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Regulation (DER). The trend is toward delegation of authority from EPA to the states to implement federal water quality laws, but with delegation the environment loses the protection of the National Environmental Policy Act.

DER analysis of water quality in the Suwannee indicates that some degradation is occurring and lists as sources of controllable pollution sewage treatment facilities, industrial wastes, drainage from poultry farms, septic tank leakage, non-point agricultural and residential runoff, and the Occidental Chemical Company phosphate strip mining and processing activities.

The most serious threat to the Suwannee's water quality is phosphate strip-mining and processing in the basin. The U.S. Bureau of Mines, in a recent study of phosphate resources in Florida, has mapped a much larger deposit than was mapped in 1968. It lies across the basin from the Okefenokee Swamp to the headwaters of the Santa Fe River and beyond. Only Occidental (Oxy) is mining at present, so it is setting the precedents for future phosphate mining in north Florida. The company claims mining rights to approximately 144,000 acres (225 sq. mi.) on both sides of the river.

A September 5 Oxy advertisement in the Gainesville Sun states that the company policy is "...to comply with the spirit as well as the letter of the law and where helpful, in the spirit of a good neighbor, to go beyond the requirements of the law..."

Oxy's history in north Florida does not inspire confidence in that claim. Public records show violations of water quality standards in 1969, 1970, and 1974; an admitted coverup of frequent air emission violations for 2 1/2 years by submission of false reports; an attempt to block designation of the Suwannee as Outstanding Florida Waters; and an appeal of the conditions placed on DER's permit for expansion of the chemical complex to ameliorate degradation of Swift Creek, a tributary of the Suwannee. At the public hearing on the 1978 EPA pollution discharge permit, the overwhelming testimony was in favor of Oxy doing a little better than barely meeting standards, but since the permit was issued, there is no evidence that the "good neighbor" policy has been implemented.

UNCONTROLLED DEVELOPMENT

A Division of State Planning (DSP) report on the Suwannee River critical area nomination in 1977 determined that:

> ...the majority of the eight Suwannee counties do not have adequate land development regulations to control and coordinate development ... major detrimental effects of uncontrolled development are water pollution from both point and non-point sources, increasing flood damage, (and) the loss of scenic beauty, and subsequently, recreation potential...

DSP further found that several state programs which could aid in resource protection were not active in the area. The report recommended more detailed study of the basin as a possible area of critical concern.

Although population growth in the basin is taking place at a slower rate than the state average, this is hardly grounds for optimism. For example, between 1969 and 1974 mobile home licenses in the eight county area along the main stream increased from 960 to 4,219. Greatest demand is for riverfront homes and subdivisions. The DSP report predicts that unregulated development in the floodplain and the floodway fringes during the three year period needed to implement the National Flood Insurance Program will increase rapidly to avoid anticipated restrictions. Indeed development has accelerated and the Program has slowed down during the past two years.

The report concluded that although control and responsibility for the Suwannee River should generally be kept at the local and state levels, local governments alone cannot provide necessary protection and enforcement. It recommended a coordinated effort by the state which would define state objectives, unify state agency activities in the basin, and assist the local governments to protect the resource.

GOVERNOR'S SPECIAL COMMITTEE

Publicity about the Corps pipeline alternative to supply water to the Tampa Bay area triggered a number of responses at all levels of government from President Carter to the local county commissioners. In April 1978 former Governor Askew, recognizing the mounting pressures on the resources of the Suwannee, appointed a special committee to assess the problems of the river and to recommend appropriate resource management measures and protection programs. A Special Committee position statement was submitted to him in August.

Although the Committee reported isolated problems of floodplain intrusion, water pollution, watershed development, and wildlife habitat loss, it found the Suwannee and its tributaries to be in relatively sound condition, unique among major rivers in the southeastern coastal plain. The stated goals for a management program were to prevent further degradation of the quality of resources, to seek amelioration of specific problems, to maintain the natural functions of the ecosystem, and to continue reasonable recreation use of the river.

The Special Committee recommended that the State of Florida consider the new "national reserve concept" as a suitable mechanism for the long term protection of the Suwannee River in Florida and Georgia. As his last major environmental action, Mr. Askew proposed to Florida Senators Lawton Chiles and Richard Stone, Representative Don Fuqua, and Georgia Governor George Busbee the enactment of federal legislation to establish a Suwannee River National Reserve.

For the immediate future, the Special Committee advised the Governor that existing state

and local resource protection mechanisms be coordinated into an environmental strategy for the Suwannee River and its major tributaries in Florida.

The Suwannee River Coalition endorsed Mr. Askew's actions, and in February 1979 new Governor Bob Graham, at the request of the Coalition, declared his intention to continue the course set by the former Governor. Since then the Coalition has worked at all levels of government to encourage the development of a resource protection and management program administered by the states and the local governments within the framework of a national reserve designation.

WHERE WE ARE NOW

Much of the necessary resource management planning needed for a Suwannee River National Reserve is already well underway in Florida at both local and state levels. National reserve status will provide the impetus for planning and management coordination needed to integrate the State of Georgia and the appropriate federal agencies into the process.

LOCAL GOVERNMENTS

The North Central Florida Regional Planning Council (RPC), which has as members eight of the eleven basin counties in Florida, has organized a Suwannee - Santa Fe Committee to oversee local planning related to the river and its tributaries. This is a very necessary step to integrate local governments into the planning process. The Coalition has encouraged non-member counties to participate on the Committee. The RPC staff has drafted model regulations for streambank and floodplain stabilization and scenic protection which are realistic and enforceable by local governments. These are being reviewed by the Committee and the Council. When they are approved they can be adopted by the counties to become part of the implementation of Local Government Comprehensive Plans mandated by the legislature in 1975.

The Coalition is reviewing and commenting on the models. If they meet Coalition goals local governments will be encouraged to adopt them. Under national reserve status there will be strong encouragement for RPC non-member counties to use the models in their comprehensive plans. Participation by the private sector in the review and acceptance of the regulations at this level is another essential element of the national reserve concept which will be encouraged.

STATE GOVERNMENT

The DSP has been developing the management strategy for Florida which was directed by Governor Askew. DSP has acknowledged and deferred to the RPC work at the local level to give the local governments time to complete their comprehensive planning, and has concentrated its activities on state and federal programs. A study of existing authorities, and their programs and manpower, is nearly completed. An analysis of proposed criteria that would implement Special Committee objectives will be completed by the end of the year. These studies will identify overlapping authority, gaps in protection, and the strength of existing programs, and they will help to determine state goals and objectives. Combined with Local Government Comprehensive Plans or a Regional Comprehensive Plan, they will serve as the basis for a management program for Florida. The Coalition has followed the development of these studies and reviewed the proposed criteria. We will continue to review and comment on the management strategy for Florida as it unfolds.

FEDERAL GOVERNMENT

The federal government has long recognized the natural significance of the Suwannee River. The most recent federal study of the basin found that its resources were of national interest. The Carter administration has acknowledged that the natural and cultural values of the river are worthy of preservation as part of the national heritage. The failure of the Wild and Scenic River proposal can be laid to many causes but prominent among them is the fact that it ignored the ideas and aspirations of the local people.

The new "national reserve concept" recognizes that while the federal government has an interest in protecting resources of national significance, the primary responsibility for planning and management lies with the state and the local units of government. There is broad latitude in the concept to consider local desires and capabilities for management of the resource. It was developed as an alternative for preservation where direct federal acquisition and management are inappropriate. The key to its success will be a comprehensive management plan that uses the unique authorities of the local, state, and federal governments, in partnership with the private sector, to guide continuing development in the reserve.

Representative Don Fuqua has taken the lead in writing a bill carefully tailored to the needs of the Suwannee River. Senators Chiles and Stone and Governor Graham have given guidance in the preparation of the bill, and Governor Busbee and the Georgia congressmen have reacted favorably to the concept.

Governor Graham recently wrote to Mr. Fuqua saying:

> ... Recognizing the strong local sentiment for protecting both the resources and local rights and interests, our present review is directed toward providing a framework for a state and local resource management entity ... we need legislation to provide for the necessary federal committment, cooperation, and assistance ...

Key elements of the bill proposed in the letter are:

* declaration of national interest in the Suwannee River and recognition of the primary responsibility of state and local governments in planning, managing, and protecting the resources of the basin

* declaration of federal committment to non-structural management to meet Special Committee objectives (and WMD policy)

* assurance of priority consideration for assistance from existing federal programs and for financial aid to acquire land essential to protection of the resource

* protection from federal programs that would adversely effect management objectives of the comprehensive plan

Governor Graham has appointed Ken Woodburn, who represented Mr. Askew during the Special Committee deliberations, to coordinate all Suwannee River activities in the Governor's Office. We worked with the Governor's Office and the DSP to identify these proposed elements and agree that they are essential to the success of a management program.

Early in September, Mr. Fuqua's Office told the Coalition and the press that the bill, incorporating Mr. Graham's suggestions, would be introduced in several weeks. Both Helen Hood and Charles Stefan have visited with Mr. Fuqua in Washington and in Florida and have kept in touch with his staff, as well as with the Senators' legislative aides. Randy Snodgrass has helped us with lobbying. As soon as we have a bill that meets our goals we will provide extensive support.

GEORGIA

Governor Busbee has said:

> ... After considering the National Reserve proposal (from Governor Askew) and contacting various state and local interests, I feel that Georgia would be well served by a cooperative study of this valuable resource. I think such a study should look carefully at the distinguishing ecological and social characteristics of the areas through which the Suwannee River flows. Differences in these characteristics might necessitate varying management strategies... Please contact me... during further development of the Suwannee River National Reserve proposal...

Mr. Busbee has designated the Director of the Physical and Economic Development Division of the Georgia Office of Planning and Budget to work with the State of Florida on the reserve proposal.

OUTSTANDING FLORIDA WATERS

The Coalition proposed the designation of the Suwannee River as an Outstanding Florida Water under Chapter 17-3, Florida Administrative Code, revised 1979, which requires that the Department of Environmental Regulation (DER) afford the highest protection to such waters of the State. The designation was adopted by the Environmental Regulation Commission (ERC) but because the administrative procedure in the revised code had not been followed, Oxy opposed the action and succeeded in getting an automatic lapse provision for the portion of the Suwannee that the company impacts. The provision requires that the ERC shall in initiate and complete the procedure within two years of the effective date of the rule or the designation will lapse.

The Coalition supports the continued designation of the entire Suwannee River in Florida as an Outstanding Florida Water, and we will testify in the proceeding.

OSCEOLA MINING LEASES

The Coalition reviewed the Amendments and Draft Final Environmental Impact Assessment for leases to strip mine phosphate on the Osceola National Forest. We coordinated the testimony of several conservation organizations for the public hearing. Four companies claim preference rights to the leases based on their finding of significant deposits. The final decision on whether to issue the leases will be made by the Secretary of the Interior.

The Coalition participated in the hearing because the mining activity will disrupt the headwaters and drainage basins of three creeks tributary to the Suwannee. In addition, the Assessment proposes that two beneficiation plants be built on the Forest to ameliorate adverse environmental impacts from transporting the raw phosphate slurry off the site. The plants would be at the headwaters of the two larger streams, which would be used to discharge effluent to the Suwannee. No decision has been announced by the Secretary.

LOWER SUWANNEE NATIONAL WILDLIFE REFUGE

Acquisition of the wetlands at the mouth of the Suwannee River was approved by the U.S. Fish and Wildlife Service late in 1978, under a new heritage program of the federal government. Letters in support of the acquisition were sent to the Department of the Interior, the Fish and Wildlife Service, Senators Chiles and Stone, and Governor Askew.

Senator Chiles took a particular interest in the refuge and was helpful in advocating it, and Mr. Askew gave strong support.

The new refuge will preserve approximately 56,800 acres of hardwood swamp forest, coastal marsh, and upland forest surrounding the mouth of the river. The system is one of the few unspoiled river - delta - estuary systems remaining in the United States. The system's diversity of habitats supports a broad spectrum of breeding wildlife species, and the estuary is an important waterfowl wintering area and a key feeding area for colonial birds nesting in the Cedar Keys Wildlife Refuge. The new refuge will be a major addition to the protection of the Gulf coastal marshes and the productive fishery that they support.

In April 1979 the first purchase of land was made from the Nature Conservancy - 6000 acres of Shired Island north of West Pass. TNC had purchased the land to hold it for the Fish and Wildlife Service, and it is now negotiating with several owners for substantial donations of swamplands for the Refuge. Acquisition of the entire tract will take several years. The Coalition will give continuing support to the project.

TROUBLE ON THE SUWANNEE

The Coalition has available a one hour slide program which gives an overview of the Suwannee River ecosystem and its problems. Arrangements can be made for a speaker to present the program to interested organizations, at no charge except for travel expenses.

Call 904/372-6965 or 904/372-1731 for more information.

After December the slides and a script will be available on loan for $20 deposit and postage.

The Coalition needs your support to continue the work that we are doing to protect the Suwannee River. As soon as we have a bill, we will need your letters to your elected officials, and we need you membership fees for printing and mailing.

PLEASE JOIN US !

Individual Members: $5.00 or more

Sponsors : $10.00 or more

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Please make checks payable to: SUWANNEE RIVER COALITION

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